

REMARKS

Claims 1-128 are now pending in the application. Applicant elects claims 1-9, 19-65, 69-120, and 124-128. Claims 10-18, 66-68, and 121-123 and are cancelled herein.

While Applicant disagrees with the current rejection of the claims, Applicant has amended claims 1, 19, 59, 69, and 75 in the interest of expediting prosecution. Applicant affirms the election of Group 1, claims 1-9, 19-65, 69-120, and 124-128. This amendment is not a narrowing amendment. Applicant reserves the right to pursue the claims as originally filed in one or more continuing applications. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-3, 19-21, 28-35, 37, 41-44, 46, 50-53, and 55 are rejected under 35 U.S.C. § 102(b) as being anticipated by Gelfand et al. (U.S. Pat. No. 6,144,697). This rejection is respectfully traversed.

In the interview, the Examiner agreed that the Gelfand reference does not "generate a subsymbol waveform upon receipt of a second number of chips of the first symbol and provide the subsymbol waveform to the feedback equalizer"; rather, the Gelfand reference uses the symbols as best understood by Applicants. The independent claims have been amended to clarify that the chips used are from the same symbol. Claim 1 is allowable for at least this reason. Claims 2-4, 6-9, 19-22, 24, 25, 27-35, 37-44, 46-53, and 55-65, 83-86, 88-95, 97-100, 101-104 and 106-120 are

allowable for at least similar reasons as Claim 1. Applicants respectfully request the Examiner to reconsider this rejection.

Claims 69-71 are rejected under 35 U.S.C. § 102(b) as being anticipated by Andren et al. (U.S. Pat. No. 6,603,801). This rejection is respectfully traversed.

Claim 69 has been amended to recite "generating a decoded waveform upon receipt of a second number of chips less than the first number of chips of the Barker encoded symbol". This is similar to the limitations of claim 1. As discussed in the interview, the Andren reference does not use chips to form the decoded waveform used for the modulated signal. Claims 70-77 are allowable for at least similar reasons as Claim 69.

ALLOWABLE SUBJECT MATTER

The Examiner states that claims 78-82 and 124-128 would be allowable if rewritten or amended to overcome the claim objections, set forth in this Office Action.

Claims 5, 23, 36, 45, 54, 87, 96, and 105 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicant reserves the right to amend the claims into independent form at a later date if needed.

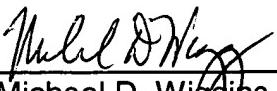
CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office

Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: June 6, 2006

By: 
Michael D. Wiggins
Reg. No. 34,754

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MDW/KGM/mp